MINUTES OF REGULAR MEETING OF THE BOARD OF REVIEW
JANUARY 22, 2020

JOSEPH SIEBER, CHAIRMAN

NANCY HUNT, VICE-CHAIRPERSON
A regular meeting of the Board of Review was held on Wednesday, January 22, 2020 at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Joseph Sieber, Chairman, and Nancy Hunt, Vice-Chairperson, William Scaglione, Board Member, and Shahrazad A. Ledan, Acting Executive Secretary.

In accordance with L1975, c.231, the Chairman to the Board of Review opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trenton Times, Newark Star Ledger and Courier Post and posted in the Lobby of the Department of Labor, 1 John Fitch Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.
BOARD MINUTES:

Submitted for adoption are the minutes of the January 15, 2020 Board meeting.

ACTION: BOARD VOTED TO ACCEPT THE MINUTES OF THE JANUARY 15, 2020 MEETING.

OLD BUSINESS:

1. MICHAEL GOMEZ
   BOR DKT. 00190633
   Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause. (The Board voted to table this case in the meeting of January 15, 2020 to get clarification on how to proceed. This case will be discussed further in the meeting of January 22, 2020).
   
   ACTION: THE BOARD VOTED TO REMAND THE ABOVE CASE TO THE APPEAL TRIBUNAL FOR AN AUDIBLE RECORD, FOR DEPUTY PARTICIPATION AND FOR ADDITIONAL TESTIMONY.

SECTION A – HEARING MATTERS

A-1 WITHDRAWAL OF APPEALS

1. DAMON THOMPSON
   BOR DKT. 00198758
   Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work.
   
   ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASE AS A WITHDRAWAL OF APPEAL TO THE BOARD OF REVIEW.

A-2 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW

1. RAMON REYES
   BOR DKT. 00197220
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.
2. BRITTANY SUTTON     BOR DKT. 00183960

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

3. SHARON LEDONNE     BOR DKT. 00197054

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.

**ACTION:** THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW.

**A-3  DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW**

1. MIGDALIA CHICO     BOR DKT. 00193294

Claimant requests reconsideration of the Board of Review’s decision affirming the Appeal Tribunals decision holding a disqualification of benefits for leaving work voluntarily.

2. JULIAN CUellar     BOR DKT. 00194228

Claimant requests reconsideration of the Board of Review’s decision affirming the Appeal Tribunal’s decision holding the claimant disqualified for discharge for misconduct connected with the work.

3. RAYMOND JOHNSTON     BOR DKT. 00182441

Claimant requests reconsideration of the Board of Review’s decision affirming the Appeal Tribunal’s decision because the claimant did not participate in the hearing.

**ACTION:** THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW.
A-4  AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. THOMAS GORDON  BOR DKT. 00186489

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

2. RICARDO SMITH  BOR DKT. 00197007

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

3. EPPSIE GREENE  BOR DKT. 00189777

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

4. TOMEEKA HOLLOMAN  BOR DKT. 00198080

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for voluntarily leaving the work without good cause attributable to such work.

5. NICOLE MURRAY  BOR DKT. 00196895

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

6. MICHAEL TAURIELLO  BOR DKT. 00196220

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily and no disqualification for misconduct connected with the work.

7. JOHN TIGGETT  BOR DKT. 00190995

Claimant appealed the Appeal Tribunal decision holding the unemployment clam invalid and a liability to a non-fraud refund.

8. YVETTE HERNANDEZ  BOR DKT. 00197455

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
9. YOLANDA HAMPTON  BOR DKT. 00191854

Claimant appealed the Appeal Tribunal decision of the Appeal Tribunal holding the unemployment claim invalid.

10. CAROLE SPIVEY  BOR DKT. 00196237

Claimant appealed a decision of the Appeal Tribunal holding no disqualification for refusal of suitable work and holding the claimant disqualified for leaving work voluntarily.

11. SHAUN MURRAY  BOR DKT. 00192525

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

12. Xiomara Torres Rosado  BOR DKT. 00198349

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal due to non-registration for the hearing.

13. SUZANNE CHADWICK  BOR DKT. 00196446

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

14. ALICIA FREEMAN  BOR DKT. 00194091

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

15. PETER GREYTSMAN  BOR DKT. 00193802

Claimant appealed a decision of the Appeal Tribunal holding the claimant not unemployed and the claim dated February 24, 2019 invalid.

16. REGINALD DOWLING  BOR DKT. 00194654

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

17. BRITTANY VEGA  BOR DKT. 00196371

Claimant appealed a decision of the Appeal Tribunal holding her ineligible for Additional Benefits During Training (ABT) on the ground that the separation from the employment was for reasons other than lack of work.
18. BRITTANY VEGA

Claimant appealed a decision of the Appeal Tribunal holding no disqualification for leaving the work voluntarily and holding a period of ineligibility as the claimant was no available for work.

19. JENNIFER COOMBE

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving the work voluntarily without good cause attributable to such work.

20. OMAR GARCIA

Claimant appealed decision of the Appeal Tribunal holding a disqualification for benefits as the discharge was for misconduct connected to the work.

21. BINTU JENGO

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits as the discharge was for misconduct connected with the work.

22. TINA GRESS

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

23. VANESSA MUDALY

Claimant appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily, and a disqualification of benefits for refusing suitable work.

24. JEROME JETER

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and a liability for a non-fraud refund.

25. JASON IVESON

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
26. MATTIE BROWN  
BOR DKT. 00193221

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

27. MAHASIN ABDALMAJIED  
BOR DKT. 00192592

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment with an educational institution and liable for a non-fraud refund.

28. CLAIRE OBOYLE  
BOR DKT. 00197749

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

29. LATRICIA O’BRIEN  
BOR DKT. 00197080

Employer appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

30. ANNA WITKOWSKA  
BOR DKT. 00198323

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT).

31. VERNON CROUCH  
BOR DKT. 00194788

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

32. RAYMUNDO CASILLAS  
BOR DKT. 00174638

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under reporting requirements.

33. VALLASIA ORTIZ  
BOR DKT. 00197343

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

34. GEETA JOSHI  
BOR DKT. 00198196

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and a liability to a non-fraud refund.
35. TAI’ASIA DAVIS  
BOR DKT. 00197069

Claimant appealed decision of the Appeal Tribunal holding a disqualification for leaving the work voluntarily without good cause attributable to such work and holding the claimant liable for non-fraud refund.

36. MONICA HARSCH  
BOR DKT. 00197190

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

37. DAVID CHARLES  
BOR DKT. 00194804

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and a liability to a non-fraud refund.

38. MERYL LOLAS  
BOR DKT. 00198095

Claimant appealed a decision of the Appeal Tribunal which held the claimant disqualified for benefits due to a prior disqualification imposed.

39. TATIANA GALVAN  
BOR DKT. 00196821

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT).

40. SHENIKWA ROGERS  
BOR DKT. 00197076

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work and ineligible for benefits for not actively seeking work.

41. MAKEYLIA NERO  
BOR DKT. 00196769

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

42. SHAQUAN BEALE  
BOR DKT. 00196256

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT).

**ACTION:** THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.
A-5  **REVERSALS OF APPEAL TRIBUNAL DECISIONS**

1. **ADRIANNA AVITABLE-TROTTA**  BOR DKT. 00189723

   Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms, and liable for a non-fraud refund.

2. **LEONYA JOHNSON**  BOR DKT. 00197759

   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

3. **ROBERT JONES**  BOR DKT. 00197862

   Claimant appealed a decision of the Appeal Tribunal holding a disqualification for discharge for misconduct connected to the work.

4. **DAWN HAJEK**  BOR DKT. 00196364

   Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits as the claimant did not leave work voluntarily without good cause attributable to the work.

**ACTION:**  THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS REVERSALS OF APPEAL TRIBUNAL DECISIONS.

A-6  **MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS**

1. **RICHARD BROWN**  BOR DKT. 00191101

   Claimant appealed a portion of a decision of the Appeal Tribunal holding a disqualification of benefits for refusing suitable work and liable for a non-fraud refund.

2. **DI’ KIRA HILL**  BOR DKT. 00198048

   Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Additional Benefits During Training.

**ACTION:**  THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS.
A-7 Remands to The Appeal Tribunal or Deputy

1. JAVIER CALZADILLA

Binder DKT. 00181013

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund on the ground that he was employed with earnings.

2. ALEXANDRIA PERROTTE

Binder DKT. 00197274

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits on the ground that the claimant is a full-time student who did not earn sufficient base year wages as a full-time student to establish a claim.

3. JOSE LOPEZ

Binder DKT. 00197251

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

4. KRISHANA HAMMOND

Binder DKT. 00191631

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

5. GREGORY COGDELL, JR.

Binder DKT. 00198023

Claimant appealed a decision of the Appeal Tribunal which held a disqualification for benefits on the ground that the claimant left the work voluntarily without good cause attributable to such work.

6. RONALD SAUSA

Binder DKT. 00196507

Employer appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work.

7. ABBY GERONIMO

Binder DKT. 00197111

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

8. BERNADETTE ROSKOWSKY

Binder DKT. 00198025

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS REMANDS TO THE APPEAL TRIBUNAL OR THE DEPUTY.

SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1  ALEXIS HAYES  BOR DKT. 00189410

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

ACTION: THE BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD A VOLUNTARY LEAVING WITHOUT GOOD CAUSE.

B-2  DANIELLE HANSEN  BOR DKT. 00195192

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

ACTION: THE BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD NO DISQUALIFICATION FOR BENEFITS AS THE CLAIMANT LEFT WORK VOLUNTARILY WITH GOOD CAUSE.

B-3  PATRICK BERGIN  BOR DKT. 00183681

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid.


B-4  ANDREW UHRLLASS  BOR DKT. 00196106

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits for refusing suitable work and liable for a non-fraud refund.
ACTION: THE BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD NO VOLUNTARY QUIT DISQUALIFICATION.

B-5 CAROL STEWART BOR DKT. 00170094

Employer appealed the Appeal Tribunal decision holding the unemployment claim valid on the grounds that services performed by the claimant were localized in this State.

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION WITH A REWRITE.

B-6 YOMARY VASQUEZ BOR DKT. 00196800

Claimant appealed a decision of the Appeal Tribunal which held the claimant ineligible for disability during unemployment benefits as the claimant had reasonable assurance of reemployment with an educational institution.

ACTION: THE BOARD VOTED TO TABLE THIS CASE UNTIL JANUARY 29, 2020 MEETING AS DKT. NO. 00210033 WAS SCHEDULED FOR A HEARING ON JANUARY 23, 2020 AND THE BOARD WAITED FOR THE OUTCOME OF THIS HEARING.

B-7 JORDAN RIVERA BOR DKT. 00194358

Claimant appealed a decision of the Appeal Tribunal holding no disqualification for voluntarily leaving the work and holding a period of disqualification for discharge for misconduct connected with the work.

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION AND HOLD A MISCONDUCT DISQUALIFICATION.

THE BOARD VOTED TO AMEND THE JANUARY 22, 2020 AGENDA TO ADD REMANDS FROM THE SUPERIOR COURT. ROSE GONZALEZ DKT. NO. 00164879.
THIS CASE CAME BACK FROM THE COURT. DENIED REQUEST TO REOPEN. WENT TO COURT. COURT SENT IT BACK TO THE BOARD TO RECONSIDER SENDING BACK TO THE APPEALS EXAMINER TO CONSIDER NEW EVIDENCE.